

FAX RECEIVED

'JUN 23 2003

PETITIONS OFFICE

A Partnership Including
Professional Corporations
600 13th Street, N.W., Suite 1200
Washington, D.C. 20005-3096
202-756-8087

Facsimile Operator No. 202-756-8090

Boston
Chicago
Los Angeles
Miami
Newport Beach
New York
Silicon Valley
St. Petersburg (Russia)
Vilnius (Lithuania)
Washington, D.C.

Associated
(Independent) Offices:
Barcelona London
Brussels Madrid
Lisbon Paris

McDERMOTT, WILL & EMERY

FACSIMILE

FROM:

Attorney: Willem F. Gadiano, Esq. Direct Phone: 202-756-8373
Attorney's E-Mail: wgadiano@mwe.com
Secretary: Diana M. Davis Direct Phone: 202-756-8604
Client/Matter/Tkpr: 44033/122/3329 Date: June 23, 2003 Time Sent: _____
Number of pages including this page: 3

TO:

Company: U.S. Patent and Trademark Office Facsimile No. (703) 308-6916
Company: Mail Stop Petitions (703) 305-9282

COMMENTS:**Attached for filing in Application No. 09/859,503 is:**

- 1) Petition for Revival of an Application for Patent Abandoned For Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f)) and Fee Authorization**

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service. Thank you.

WDC99 775329-1.044033.0122

A20

PTO/SB/64a (05-03)

Approved for use through xx/xx/200x. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL
FILING (37 CFR 1.137(f))**

Docket Number (Optional)

44033-122

First named inventor: Mark J. MCKENNON, et al.

Application No.: 09/859,503

Art Unit: 1624

FAX RECEIVED

Filed: May 18, 2001

Examiner: M. Berch

JUN 23 2003

Title: PYRIDOPYRIMIDINE COMPOUNDS AND THEIR USES

PETITIONS OFFICE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

Note: If information or assistance is needed in completing this form, please contact petitions Information at (703) 305-9282.

The above-identified application may have become unintentionally abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Director of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is believed to be the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)**

1. Petition fee

- ☒ Small entity - fee is \$ 650.00 (37 CFR 1.17(m)), Applicant claims small entity status. See 37 CFR 1.27.
☐ Other than small entity - fee is \$ 1300.00 (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(C))

On 4/24/2002, subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty that requires publication of applications eighteen months after filing.

(Page 1 of 2)

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JUN 23 2003

PETITIONS OFFICE

PTO/SB/84a (05-03)

Approved for use through xx/xx/200x. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (O))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 23, 2003

Date:

(202) 756-8000

Telephone Number

Willem F. Gadiano, Esq.

Signature

Willem F. Gadiano, Esq.

Typed or printed name

McDermott, Will & Emery

600 13th Street, N.W., Washington, D.C. 20005-3096

Address

Enclosures:

Fee Payment:

☒ Charge to Deposit Account 500417☐ Check enclosed☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703-308-6916).

6/23/03

Date

Diana M. Davis

Signature

Diana M. Davis

Type or printed name of person signing certificate.

(Page 2 of 2)